REMARKS

Claims 1, 3-18, 33, 34, 39-51, 53-59, 62-68, 70-76, and 79-84 are pending in the application. Claims 1, 3-18, 33, 34, 39-51, 53-59, 62-68, 70-76, and 79-84 stand rejected. Applicants request further review and examination in view of the following remarks.

Claim Rejections – 35 USC § 112

Claims 1, 3-18, 33, 34, 39-51, 53-59, 62-68, 70-76, and 79-84 stand rejected under 35 U.S.C. § 112 as allegedly including new matter. The Office Action states that the specification does not provide written support for "instructions for an operating system, the operating system configured to effectuate a user mode and a kernel mode, the operating system comprising a file system integrated with a database management program, the operating system configured to store, while in kernel mode, data in the file system as file streams, and generate, while in kernel mode, Items associated with the file streams in the database management program." Applicants traverse the rejections.

Applicants submit that the specification provides support for the subject matter recited above. For example, the specification states that a hardware/software interface system 204 can be an operating system that comprises a shell and a kernel. (Application at [0285]). The Applicant shows that a database engine 314 can include a SQL store and a file system 318. (Application at FIG. 3 and specification [0302] – [0306]). The specification further states that the database engine 314 can be part of the data store 302 which can be embodied in the operating system. (Application at [0308]). Thus, the specification clearly supports an operating system including a database management program integrated with a file system.

The specification also clearly supports a data store that is effectuated within the kernel of the operating system. According to the specification, "[a] shell is the outer layer of a[n] [operating system] that is directly accessible by application programs and/or end-users. In contrast to a shell, a kernel is a[n] [operating system's] innermost layer that interacts directly with the hardware components." (Application at [0288]). That is, the kernel contains the 'guts' of the operating system and when a processor is executing the shell it is executing in user mode and when the processor is executing kernel code it is executing in kernel mode. Applications executing in user mode can access kernel mode services by using an API.

(Specification at p. [0286]). An example service that is accessed via the API is effectuated by the data store. (See, e.g., Application at FIG. 3, FIG. 19, and specification at [0305]). Since the API provides kernel access to user space applications, and the data store is accessed via the API it is clear that the data store can be effectuated in the kernel space of the operating system. The specification provides additional disclosure that supports Applicants' argument. For example, the specification states that the location including the data store instructions can also include instructions that effectuate kernel processes such as an operating system scheduler, see, e.g., Application at [0287] stating "[i]n a multitasking [operating systems] where multiple programs may be running at the same time, the [operating system] determines which applications should run in what order and how much time should be allowed for each application before switching to another application for a turn." Or put another way, the data store can be located at the same level as the operating system scheduler. In view of the detailed description, Applicants submit one of skill in the art at the time of invention would appreciate that the portion of the operating system that the API provide access to the kernel and the kernel can include the storage platform.

Finally, the specification clearly supports storing data in the file system as file streams, and generating Items associated with the file streams in the database management program." For example, the specification states "[t]he storage platform data store is not exposed as a separate file system volume. The storage platform leverages FILESTREAMs directly hosted on NTFS. Thus, there is no change to the on-disk format, thereby obviating any need to expose the storage platform as a new file system at the volume level." (Application at p. [0936]). That is, the data store can store Items (Application at [0532]) that are backed by file streams stored in the file system. (Application at p. [0936]). The operating system then can expose the data store to the applications. (Application at [0319]). Accordingly, in view of the foregoing arguments, Applicants respectfully request reconsideration of the § 112 rejections.

CONCLUSION

Applicants request the Examiner reconsider the rejections and issue a Notice of Allowance of all the claims.

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